

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
GILROY JOHNSON,

Plaintiff,

-against-

**AFFIDAVIT OF SERVICE**

THE CITY OF NEW YORK, P.O. SHAMUS  
SMITH, P.O. FIDEL MOREJON and P.O.s  
"JOHN DOE" # 1-5 (said names being  
fictitious, as the true names are presently  
unknown), Individually and in their Official  
Capacities

08 CV 4788 (DAB) (MHD)

Defendants.  
-----X

STATE OF NEW YORK; COUNTY OF NEW YORK ss:

DAX THOMAS BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A  
PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN  
THE STATE OF NEW YORK.

That on May 22, 2008 at 1:15 PM at 100 Church Street, New York, NY 10007

Deponent served the within SUMMONS AND COMPLAINT AND DEMAND FOR JURY  
TRIAL on CITY OF NEW YORK LAW DEPARTMENT, OFFICE OF CORPORATION  
COUNSEL, therein named, a domestic CORPORATION, by delivering a true copy of each  
to PHILIP CLARK, ASSISTANT DIRECTOR, OPERATIONS DIVISION, personally.  
Deponent knew said recipient to be authorized to accept aforesaid documents.

Deponent further states that he describes the person actually served as follows,

|      |             |             |               |                 |                  |
|------|-------------|-------------|---------------|-----------------|------------------|
| Sex: | Skin Color: | Hair Color: | Age (Approx.) | Height(Approx.) | Weight (Approx.) |
| Male | White       | Gray        | 50            | 6'              | 180              |

That at the time of such service deponent knew the person accepting service as PHILIP  
CLARK, ASSISTANT DIRECTOR, OPERATIONS DIVISION for CITY OF NEW YORK  
LAW DEPARTMENT, OFFICE OF CORPORATION COUNSEL.

Sworn to me on: May 22, 2008

  
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NOTARY PUBLIC

  
\_\_\_\_\_  
DAX THOMAS

KIM E. RICHMAN  
Notary Public, State of New York  
No. 02R16101174  
Qualified in New York County  
Commission Expires December 19, 2011